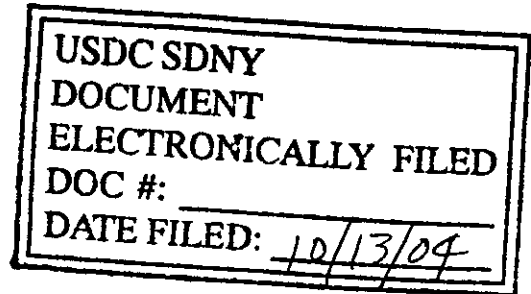


U.S. PLAN 5.

Nourse & Bowles, LLP  
Attorneys for Plaintiff  
One Exchange Plaza  
At 55 Broadway  
New York, New York 10006  
(212) 952-6200



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
AMERICAN STEAMSHIP OWNERS  
MUTUAL PROTECTION AND  
INDEMNITY ASSOCIATION, INC.,

Plaintiff,

- against -

Alcoa Steamship Co., Inc.  
and the Other Entities Listed on Exhibit A  
attached to the Second Amended Complaint

Defendants.  
-----X

04 Civ. 04309 (LAK)

*Part 17C*  
NOTICE OF DISMISSAL

Plaintiff, American Steamship Owners Mutual Protection and Indemnity Association, Inc. ("Plaintiff") hereby voluntarily dismisses the captioned action as against Federal Transport Company, Inc. ("Defendant") without prejudice pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure. Plaintiff reserves the right to recommence this action or commence another action against Defendant, and/or against any alleged successors thereto, in the event that they seek indemnity from or otherwise

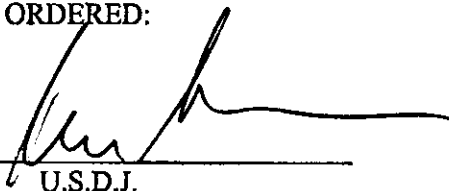
assert claims against Plaintiff in respect of IBNR occupational diseases under any insurance policies Plaintiff issued to Defendant prior to February 20, 1989.

Dated: October 5, 2004



Lawrence J. Bowles (LB-5950)  
NOURSE & BOWLES, LLP  
One Exchange Plaza  
At 55 Broadway  
New York, New York 10006-3030  
(212) 952-6200

SO ORDERED:

  
U.S.D.J.

10/12/04